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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

SMITH et al.

Atty. Ref.: 2551-49; Confirmation No. 3620

Appl. No. 09/662,462

Group: 1634

Filed: September 15, 2000

Examiner: Goldberg

For: NUCLEIC ACID PROBES AND METHODS FOR DETECTING CLINICALLY  
IMPORTANT FUNGAL PATHOGENS

\* \* \* \* \*

December 3, 2003

**OFFICE OF PUBLICATIONS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**REQUEST**

The Examiner is requested to return a completely initialed copy of the attached PTO-1449 Form, which was executed by the Examiner on April 2, 2001, and includes the OIPE date-stamp of February 1, 2001. Specifically, the PTO-1449 Form was returned without the Examiner's initials on the left-hand column next to the following citations: WO 98 11257 A, WO 99 06596 A, WO 96 21741 A, WO 98 50584 A, and WO 95 29260 A.

These documents were believed to be submitted with the PTO-1449 Form. The Examiner has not lined-through these references and it is believed that the lack of the Examiner's initials on the PTO-1449 Form was merely an oversight. For completeness however the Examiner is requested to return a completely initialed PTO-1449 Form as

SMITH et al.  
Appl. No. 09/662,462  
December 3, 2003

confirmation that these references have been considered and so that the same may be printed on the face of the patent issuing from this application. The Examiner is requested to contact the undersigned if anything further is required in this regard.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



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**INFORMATION DISCLOSURE  
CITATION**

ATTY. DOCKET NO.

2551-49

APPLICANT

SMITH et al.

FILING DATE

September 15, 2000

SERIAL NO.

09/662,462

GROUP

1645/655

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(Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
gs	5,426,027	6/1995	Lott et al	435	6	

**FOREIGN PATENT DOCUMENTS**

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
WO 98 11257 A	3/1998	WO			
WO 99 06596 A	2/1999	WO			
WO 96 21741 A	7/1996	WO			
WO 98 50584 A	11/1998	WO			
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gs	Fujita et al, "Microtitratin Plate Enzyme Immunoassay to Detect ...", Journal of Clinical Microbiology, U.S., Washington, D.C., Vol. 33, No. 4, 1 April 1995, pp. 962-967, XPO02053345.
	Elie et al, "Rapid identification of Candida species with species-specific DNA probes", Journal of Clinical Microbiology, U.S., Washington, D.C., Vol. 36, No. 11, 1 Nov. 1998, pp. 3260-3265; XP002086007.
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	Tintelnot et al, JCM, 2000; 38:1599-1608.
	Posteraro et al, JCM, 2000; 38:1609-1614.

Examiner	gs Goldberg	Date Considered	4/2/01
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

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**2551-49**

**APPLICANT**

SMITH et al.

**FLIGHT DATE**

**September 15, 2000**

**09/662,462**

**GROUP**

1655

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

							TRANSLATION	
DOCUMENT		DATE	COUNTRY	CLASS	SUBCLASS	YES	NO	
• 94 ↓	0 894 870 A2	2/1999	EP	←	→	Abst.		
	WO 93/23568	11/1993	PCT	←	→			
	WO 97/36003	10/1997	PCT	←	→	Abst.		
	0 642 588 A1	11/1993	EP	←	→	Abst.		

**OTHER DOCUMENTS** (including Author, Title, Date, Pertinent pages, etc.)

*Examiner			Date Considered	

**\*Examiner**

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO